Remarks/Arguments:

Claims 1-28 are currently pending in this application. Claims 1, 3, 13, 14, 17, 20 and 21 are currently amended.

In the Office Action dated January 31, 2006, Claims 1-28 were rejected. Specifically, Claims 1, 2, 4-13, 15-19 and 21-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,165,775 to Lisak et al. ("Lisak") in view of U.S. Patent No. 6,773,153 to Burton ("Burton"), and Claims 3, 14 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lisak in view of Burton and further in view of U.S. Patent No. 5,309,780 to Schmitt ("Schmitt"). Lisak, Burton, and Schmitt shall be referred to herein collectively as the "Cited Art." The rejections are addressed in more detail below.

Claim Rejections – 35 U.S.C. § 103(a)

Independent Claims 1, 13 and 17:

Independent Claims 1, 13 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lisak in view of Burton. Applicant respectfully disagrees with the Examiner's interpretation of these references. As noted by the Examiner, Lisak does not disclose at least one tang positioned on and extending outside the housing. (January 31, 2006 Office Action at page 2). Burton also does not disclose the tang of Claims 1, 13 and 17, particularly as amended herein. First, the tang of Burton is not positioned on and extending from the housing. Instead, the tang (138) of Burton "protrude[s] inwardly" from an interior surface of the gear, not the housing. (Burton, at Column 5, lines 15-17). Furthermore, the tang of Claims 1, 13 and 17, as amended herein, functionally engages at least one *groove* of the control rod and prevents rotation thereof such that rotation of the gear results in *non-rotational linear movement* of the control rod *during operation of the adjuster*. The tang of Burton does not engage a groove of the control

rod, because as the Examiner noted, Burton does not disclose a groove. (January 31, 2006 Office Action at page 9). Further, Burton does not disclose a tang that prevents rotation of the control rod such that rotation of the gear results in *non-rotational linear movement* of the control rod *during operation of the adjuster*. Rotation of the gear in Burton causes the control rod (ball stud 24) "to rotate and move axially." (Burton, at Column 2, lines 37-38). The adjuster of Burton, then, uses rotational linear movement of the control rod instead of non-rotational linear movement as recited in Claims 1, 13 and 17. The tangs (138, 148) of Burton prevent the control rod from rotating only when it reaches the end of a desired path by allowing the gear to slip in relation to the control rod as a clutching mechanism. (Burton, at Column 2, lines 39-52 and Column 5, lines 1-5, 20-23, and 46-47). The tangs in Burton are not to prevent rotation of the control rod to achieve non-rotational linear movement during operation of the adjuster as recited in Claims 1, 13 and 17 but instead act as a clutching mechanism and prevent permanent disengagement of the gear from the control rod and other damage from over-adjustment. (Burton, at Column 5, lines 1-2 and 30-32). Thus, it would not have been obvious to combine the tangs of Burton with the adjuster of Lisak to provide the adjuster of Claims 1, 13 or 17.

In addition, Applicant wishes to address the rejection of Claims 3, 14 and 20 in connection with Claims 1, 13 and 17 because Claims 1, 13 and 17 as amended herein include a limitation previously found in Claims 3, 14 and 20, namely, at least one groove. Claims 3, 14 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lisak in view of Burton and in further view of Schmitt because Lisak and Burton do not disclose a groove but Schmitt purportedly does. Applicant respectfully disagrees with this interpretation of Schmitt. In addition to the reasons described above regarding Lisak and the tangs of Burton, the groove of Schmitt is not used in connection with preventing rotation of the control rod to achieve non-

rotational linear movement during operation of the adjuster as recited in Claims 1, 13 and 17. Like the control rod of Burton, the control rod (shaft 30) of Schmitt both rotates and moves axially during its operation. (Schmitt, at Column 5, lines 53-58 and 64-68). The groove of Schmitt, then, could not have been used in the adjuster of Lisak to effect non-rotational linear movement of the control rod as recited in Claims 1, 13 and 17, and there is no suggestion in any of the Cited Art to do so. Thus, it would not have been obvious to combine the tangs of Burton, the groove of Schmitt, and the adjuster of Lisak.

Accordingly, Claims 1, 13 and 17 are not obvious with respect to the Cited Art.

Dependent Claims:

Independent Claims 1, 13 and 17 are not obvious, as established above. Thus, the claims that depend therefrom, namely, Claims 2-12, 14-16, and 18-28, are also not obvious.

Characterization of Cited Art

Applicant notes that the Office Action included numerous characterizations of the Cited Art. Applicant identifies herein several key differences between the Cited Art and the invention claimed in each of the currently pending independent claims. Applicant's identification of those differences and silence on other differences should not be interpreted as or construed to be an admission of the correctness of the interpretation of the Cited Art in the Office Action or an admission that the subject claims include those aspects of the Cited Art not discussed herein.

Conclusion

In view of the remarks and amendments presented herein, it is respectfully submitted that claims 1-28 are in condition for allowance and reconsideration of same and notice of allowance of the claims is respectfully requested. Applicant submits that no new matter has been added to the application and requests that the Examiner telephone the undersigned in the event a telephone discussion would be helpful in advancing the prosecution of the present application, particularly before the issuance of a final rejection.

Respectfully submitted,

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